GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

R&B Department- Land Acquisition - Payment of balance decretal charges @ Rs.43,58,144/- (Rupees forty three lakhs fifty eight thousand one hundred and forty four only) in respect of OP No.10/2008 and 11/2008 in the Executive Petition No.118/2013 pending before the Hon'ble Court of the Senior Civil Judge, Adoni– Sanction - Accorded - Orders – Issued.

TRANSPORT, ROADS AND BUILDINGS (R.IV) DEPARTMENT

G.O.RT.No. 240 Dated: 25-09-2019.
Read:

From the Collector & District Magistrate, Kurnool. Rc.No.G2.3324/2014, dt: 17.02.2019.

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ORDER:

In the letter first read above, the Collector & District Magistrate, Kurnool has stated that, the Revenue Divisional Officer, Adoni has submitted decretal proposals for an amount of Rs.43,58,144/- in L.A OP No.10/2008 and LA O.P.No.11/2008 of Parvathipuram village of Adoni Mandal, in respect of lands acquired for formation of Bypass road in Adoni town in survey number 62/B2 and 192/2 to an extent of Acres 3.12 cents. Further, he has stated that, an extent of 3.12 Acres in Sy.No.62/B2 etc., in Paravthipuram (v) Adoni (M) and Division, Kurnool District was acquired in Award No.13/2008, dt: 11.08.2008 for the purpose of formation of Bypass road in Adoni Town. The LAO, Adoni after due enquiry into the matter fixed the Market Value @ Rs.1,25,000/- PA & @ Rs.1,45,000/- per Acre for lands covered under category B and A respectively. The claimants were dissatisfied with compensation awarded by the LAO and filed an LAOP. On such reference, the same was numbered as O.P.No.10/2008 and O.P.No.11/2008 on the file of the Hon'ble Senior Civil Judge, Adoni and it has been ordered and decreed as follows:

1. That the claimant be and is hereby entitled to market value at Rs.9,00,000/- (Rupees Nine Lakhs) per acre.

2. The claimant be and is hereby entitled to get solatium 30% pa, 9% interest for one year, AMV at 12% from 16.10.2007 to 11.08.2008 & 15% interest from the remaining period till the date of payment.

3. The amount of Rs.2,04,843/- & Rs.3,90,660/- already paid by the LAO to the claimants shall be deducted from the compensation fixed by the Court.

2. The Collector & District Magistrate, Kurnool has stated that, the RDO cum LAO, Adoni, filed LAAS No.227 & 269 of 2014 before the Hon'ble High Court seeking to grant stay of all further proceedings in pursuance of judgment and decree dt: 17.09.2012 passed in OP No. 10 & 11 of 2008 and the Hon'ble High Court of A.P issued orders that "there shall be interim stay as prayed for on condition that the petitioner deposits 50% of the enhanced compensation together with statutory benefits within a period of eight weeks from the date of receipt of a copy of this order on such deposit, the respondent / claimant is entitled to withdraw 1/4th of the enhanced amount without furnishing any security and the remaining 1/4th of the enhanced amount with security."

3. According to the Hon'ble High Court order, the District collector, Kurnool has released 50% of the decretal charges amount of Rs.11,89,676/- in OP No.10/2008 and Rs.19,05,412/- in O.P.No.11/2008 and the same was deposited before the Senior Civil Judge, Adoni.

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4. The Hon'ble High Court of A.P Hyderabad have issued common order for O.P.No.10/2008 and O.P. No.11/2008 of Parvathipuram (V) of Adoni (M) and confirmed that Lower Court Orders with all the Statutory benefits, Market value at Rs.9,00,000/- per acre, 30% solatium, 9% interest for 1 year, additional market value at 12%, 15% interest for the remaining period till the date of payment.

5. The District Collector, Kurnool has requested to deposit/ sanction the balance decretal amount @ Rs.43,58,144/- (Rupees forty three lakhs fifty eight thousand one hundred and forty four only) in favour of RDO, Adoni regarding the La OP No.10/2008 and 11/2008 of Paravthipuram (v) Adoni (M), Kurnool District to avoid further legal complications as the Executive Petition No.118/2013 is pending before the Hon'ble Court of the Senior Civil Judge, Adoni, as well as further loss of interest amount to the Government.

6. Government, after careful examination of the matter, hereby accord sanction for an amount of Rs.43,58,144/- (Rupees forty three lakhs fifty eight thousand one hundred and forty four only) towards payment of balance decretal charges in favour of RDO, Adoni regarding the La OP No.10/2008 and 11/2008 of Paravthipuram (v) Adoni (M), Kurnool District in the Executive Petition No.118/2013 pending before the Hon'ble Court of the Senior Civil Judge, Adoni, subject to, ensure the correctness of the amount proposed is as per Court Orders.

7. The amount sanctioned in para (6) above, shall be debited to the Head of Account - 5054-04-MH.337-GH.11-SH.(33)-530-532 Lands.

8. The I/c. Chief Engineer (R&B) SH & Managing Director, A.P Road Development Corporation, Vijayawada, shall take further action accordingly in the matter.

9. This order issues with the concurrence of Finance Department vide their Uo.No.FMOMRAS/37/TR&B/2019, E-File No.891827, Dt.07.08.2019.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.T.KRISHNA BABU
PRINCIPAL SECRETARY TO GOVERNMENT

To
The I/c. Chief Engineer (R&B) SH & Managing Director, A.P Road Development Corporation, Vijayawada,A.P.
The Collector & District Magistrate, Kurnool
The Accountant General, A.P, Hyderabad.
The Pay & Accounts Officer, Vijayawada, A.P.
The Director of Works Accounts, Vijayawada, A.P.
Copy to:
The Finanace(FMU-TR&B)Department.
The P.S. to Principal Secretary to Government, TR&B Department
The OSD to Hon'ble M(R&B)
The S.E. R&B Circle, Kurnool.
Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER